

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

JAN 22 2018

Clerk, U.S. District Court
District Of Montana
Billings

MARJORIE BEAR DON'T WALK,

Plaintiff,

vs.

ROBERT CHARETTE, as Chairman
of the Indian Health Board of Billings,
et al.,

Defendants.

CV 17-79-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

Before the Court are United States Magistrate Judge Timothy Cavan's Findings and Recommendations filed on January 4, 2018. (Doc. 16).

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. No objections were filed. When neither party objects, this Court reviews Judge Cavan's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.


IT IS ORDERED that the proposed Findings and Recommendations entered by United States Magistrate Judge Cavan (Doc. 16) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that pursuant to Fed. R. Civ. P. 41(b), this matter is dismissed with prejudice, for Plaintiff's failure to prosecute.

IT IS FURTHER ORDERED that the motions to dismiss (Docs. 6, and 10) filed by Robert Charette and Dorthy Dupress and Indian Health Services are DENIED as moot.

The clerk is ordered to enter judgment and close this case.

DATED this 22nd day of January, 2018.


SUSAN P. WATTERS
United States District Judge